



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

DECISION

Application no. 32739/04
Zeqi ARRNI
against Serbia

The European Court of Human Rights (Second Section), sitting on 11 December 2012 as a Committee composed of:

Paulo Pinto de Albuquerque, *President*,
Dragoljub Popović,
Helen Keller, *judges*

and Françoise Elens-Passos, *Deputy Section Registrar*,

Having regard to the above application lodged on 18 August 2004,
Having deliberated, decides as follows:

THE FACTS AND PROCEDURE

The applicant, Mr Zeqi Arrni, at the relevant time a national of the Federal Republic of Yugoslavia, was born in 1918 and lives in Priština, Kosovo.¹

The Serbian Government (“the Government”) were represented by their Agent, Mr S. Carić.

Without invoking any provision of the Convention, the applicant complained about the failure of the domestic courts to serve him with the

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with the United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

judgment of 13 January 1999, as well as a violation of his property rights resulting from the suspension of payment of his pension.

On 15 September 2010 the Government submitted their observations on the admissibility and merits. The observations were transmitted to the applicant, who was invited to submit any observations together with any claims for just satisfaction by 11 November 2010.

By a letter of 14 April 2011, sent by registered post, the Court informed the applicant that the observations and a just satisfaction claim had not been submitted and that no extension of the time-limit had been requested. Nevertheless, the applicant was invited to comply with the previous request by 25 May 2011. He was also warned, in accordance with Article 37 § 1 (a) of the Convention, that the Court might strike a case out of its list of cases where it concluded that the applicant did not intend to pursue the application. It appears that the applicant had not received this letter.

By a letter of 16 June 2011, sent by registered post, the applicant was again invited to comply with the previous request by 16 July 2011. The applicant's attention was again drawn to Article 37 § 1 (a) of the Convention. It is unclear whether this letter was served on the applicant.

Finally, by a letter of 13 July 2012 the applicant was again invited to submit any observations and a just satisfaction claim by 13 August 2012. His attention was yet again drawn to Article 37 § 1 (a) of the Convention. It appears that this letter was dispatched to Kosovo, but that no confirmation of its delivery to the applicant is available.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Françoise Elens-Passos
Deputy Registrar

Paulo Pinto de Albuquerque
President